

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION**

<b>MELODY JOY CANTU and</b>	§
<b>DR. RODRIGO CANTU,</b>	§
<i>Plaintiffs</i>	§
	§
	§
	<b>CASE NO 5:20-CV-00746-JKP (HJB)</b>
	§
V.	§
	§
<b>DR. SANDRA GUERRA and</b>	§
<b>DIGITAL FORENSICS</b>	§
<b>CORPORATION, LLC</b>	§
<i>Defendants</i>	§

**ORDER DENYING PLAINTIFF'S OPPOSED MOTION FOR PROTECTIVE ORDER  
REGARDING PLAINTIFF'S PRODUCTION OF MEDICAL RECORDS AND  
GRANTING DEFENDANT, DR. SANDRA GUERRA'S REQUEST FOR SANCTIONS  
AGAINST PLAINTIFFS AND/OR PLAINTIFFS' COUNSEL**

On this date came on to be considered Plaintiff's Opposed Motion for Protective Order Regarding Plaintiff's Production of Medical Records [Doc. 101] (the "Motion") and Defendant, D. Sandra Guerra's Response to Plaintiff's Opposed Motion for Protective Order Regarding Plaintiff's Production of Medical Records and Request for Sanctions Against Plaintiffs and/or Plaintiffs' Counsel [Doc. \_\_\_\_] (the "Response"). Upon due consideration of the Motion and the Response, the Court finds that the Motion should be **DENIED** in its entirety.

**IT IS THEREFORE ORDERED** that Plaintiff's Opposed Motion for Protective Order Regarding Plaintiff's Production of Medical Records is **DENIED** in all respects.

**IT IS FURTHER ORDERED** that Defendant, Dr. Sandra Guerra, shall be permitted to serve her third-party subpoenas for the production of Plaintiffs' medical and billing records and Plaintiffs shall provide Defendant, Dr. Sandra Guerra, and/or any necessary third-party with a

HIPAA authorization to effectuate the production of Plaintiffs' medical and billing records pursuant to such third-party subpoenas.

Pursuant to Fed. Rule. Civ. P. 37(a)(5), **IT IS FURTHER ORDERED** that Plaintiff, Melody Joy Cantu, shall pay Defendant, Dr. Sandra Guerra, \$\_\_\_\_\_ for the reasonable attorneys' fees incurred by Defendant, Dr. Guerra, as a result of the Motion filed by Plaintiff *and* Plaintiff's prior opposition to the entry of Confidentiality and Protective Order [Doc. 88] and shall tender such amount to Defendant, Dr. Sandra Guerra's counsel of record within fourteen (14) days of the date hereof.

Pursuant to Fed. Rule. Civ. P. 37(a)(5), **IT IS FURTHER ORDERED** that Plaintiffs' counsel shall pay Defendant, Dr. Sandra Guerra, \$\_\_\_\_\_ for the reasonable attorneys' fees incurred by Defendant, Dr. Guerra, as a result of the Motion filed by Plaintiff and the prior express representations made by counsel for Plaintiff under penalty of perjury that a confidentiality and protective order was not necessary for discovery and shall tender such amount to Defendant, Dr. Sandra Guerra's counsel of record within fourteen (14) days of the date hereof.

It is so **ORDERED**.

Dated: \_\_\_\_\_

\_\_\_\_\_  
UNITED STATES DISTRICT JUDGE